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TREATIES AND OTHER INTERNATIONAL ACTS SERIES 9084

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TRADE IN TEXTILES AND TEXTILE PRODUCTS

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Agreements Between the
UNITED STATES OF AMERICA
and HAITI ✓

Amending the Agreement of
March 22 and 23, 1976, as Amended

Effected by Exchange of Notes
Dated at Washington July 19, 1977
And Exchange of Notes
Dated at Washington August 11, 1977
And Exchange of Notes
Dated at Washington September 14 and 15, 1977
And Exchange of Notes
Signed at Washington November 23, 1977
And Exchange of Notes
Signed at Washington October 13, 1978



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89-497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

"... the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence ... of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof."

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HAITI

Trade in Textiles and Textile Products

Agreements amending the agreement of March 22 and 23, 1976 as amended.

Effected by exchange of notes

Dated at Washington July 19, 1977;

Entered into force July 19, 1977.

And exchange of notes

Dated at Washington August 11, 1977;

Entered into force August 11, 1977.

And exchange of notes

Dated at Washington September 14 and 15, 1977;

Entered into force September 15, 1977.

And exchange of notes

Signed at Washington November 23, 1977;

Entered into force November 23, 1977.

And exchange of notes

Signed at Washington October 13, 1978;

Entered into force October 13, 1978.

The Department of State to the Haitian Embassy

The Department of State acknowledges receipt of the note of June 28, 1977 [1] from the Embassy of Haiti concerning the consultation levels for Categories 55 and 231 of the bilateral agreement of March 22 and 23, as amended, [2] on trade in cotton, wool and man-made fiber textile products between the United States and the Republic of Haiti (hereafter referred to as the Agreement).

In response to the request from the Embassy of Haiti for permission to exceed the consultation level in Categories 55 and 231, the Government of the United States proposes that Haiti be permitted to exceed the applicable level for each of these Categories for the second agreement year by 1,000,000 square yards equivalent (SYE). The new authorized shipment level for each Category would be 1,700,000 SYE.

If the foregoing proposal is acceptable to the Government of the Republic of Haiti, this note and the Embassy's note of confirmation shall constitute an agreement between the Governments of the Re-

¹ Not printed.

² TIAS 8268, 8395, 8643; 27 UST 1595, 3785; 28 UST 5447.

public of Haiti and of the United States of America pursuant to paragraph 7 of the Agreement.

P H B

DEPARTMENT OF STATE,
WASHINGTON, July 19, 1977

The Haitian Embassy to the Department of State

AMBASSADE D' HAITI
WASHINGTON

AW/46-483

THE EMBASSY OF HAITI presents its compliments to the Department of State of the United States and has the honor to refer to its note of July 19, 1977 proposing new levels of 1.7 millions square yard for categories 55 and 231 respectively.

The Embassy confirms that this proposal is acceptable to the Government of Haiti.

Your note and this note of acceptance constitute an agreement amending the Bilateral Agreement on Textiles between the United States and Haiti.

The Embassy of Haiti avails itself of this opportunity to renew to the Department of State of the United States the assurances of its highest consideration.

WASHINGTON, D.C., July 19, 1977

GEORGES SALOMON

[SEAL]

THE HONORABLE DEPARTMENT OF STATE
OF THE UNITED STATES OF AMERICA
WASHINGTON, D.C.

The Department of State to the Haitian Embassy

The Department of State acknowledges receipt of the note of August 5, 1977¹ from the Embassy of Haiti concerning the consultation level for Category 51 of the bilateral agreement of March 22

¹ Not printed.

and 23, 1976, as amended, on trade in cotton, wool and man-made fiber textile products between the United States and Haiti (hereafter referred to as the Agreement).

In response to the request from the Embassy of Haiti for permission to exceed the consultation level in Category 51 of the Agreement, the Government of the United States proposes that for the second agreement year Categories 50 and 51 be merged and made subject to a consultation level of 1,700,000 SYE for the merged category.

If the foregoing proposal is acceptable to the Government of the Republic of Haiti, this note and the Embassy's note of confirmation shall constitute an agreement between the Governments of the Republic of Haiti and of the United States of America pursuant to paragraph 7 of the Agreement.

DEPARTMENT OF STATE,
WASHINGTON, August 11, 1977

The Haitian Embassy to the Department of State

AMBASSADE D' HAITI
WASHINGTON

AW/41-532.

THE EMBASSY OF HAITI IN WASHINGTON presents its compliments to the Department of State of the United States and has the honor to acknowledge receipt of the Note of August 11, 1977 proposing that category 50 and category 51 of the bilateral Textiles Agreement of March 22 and 23, 1976 to be merged and made subject to a consultation level of 1700.000 SYE for the merged categories in the Second year of the Agreement.

The Government of Haiti has given its acceptance to the proposal and this note and the State Department's note shall constitute an agreement between the Government of the United States of America and the Republic of Haiti pursuant to paragraph 7 of the Agreement.

THE EMBASSY OF HAITI avails itself of the opportunity to renew to the Department of State the assurances of its highest consideration.
Washington, D.C. August 11, 1977.

GEORGES SALOMON [SEAL]

Georges Salomon
Ambassadeur

The Department of State to the Haitian Embassy

The Department of State acknowledges receipt of the note of September 7, 1977 [1] from the Embassy of Haiti concerning the consultation levels for Categories 54, 223 and 215 of the bilateral agreement of March 22 and 23, 1976, as amended, on trade in cotton, wool and man-made fiber textile products between the United States and the Republic of Haiti (hereafter referred to as the Agreement).

The Government of the United States of America agrees to the request of the Republic of Haiti to exceed the consultation levels in Categories 54, 223 and 215 and proposes for the current agreement year the following new consultation levels:

Category 54	1,500,000 square yard equivalent
Category 223	2,500,000 square yard equivalent
Category 215	5,000,000 square yard equivalent

If the foregoing proposal is acceptable to the Government of the Republic of Haiti, this note and the Embassy's note of confirmation will constitute an agreement between the Governments of the United States of America and the Republic of Haiti pursuant to paragraph 7 of the Agreement.

P H B

DEPARTMENT OF STATE,
WASHINGTON, September 14, 1977

The Haitian Embassy to the Department of State

AMBASSADE D'HAITI
WASHINGTON

AW/41-906

THE EMBASSY OF HAITI IN WASHINGTON presents its compliments to the Department of State of the United States and has the honor to acknowledge receipt of the Note of September 14, 1977 proposing, according to its request, that the consultation levels of categories 54, 223, 215 of the bilateral Textiles agreement of March 22 and 23, 1976 be amended as follows, for the remaining months of the year 1977.

<u>Category 54.</u>	Playsuits, sunsuits, washsuits, creepers, rompers	SYE 1. 500. 000
	from: 1.000.000 SYE to	
<u>Category 223.</u>	Underwear, Knit from: 2.000.00 to	SYE 2. 500. 000
<u>Category 215.</u>	Hosiery from 4.000.00 to	SYE 5. 000. 000

The Government of Haiti has given its acceptance to the proposal and this note and the State Department's note shall constitute an

¹ Not printed.

agreement between the Government of the United States of America and the Republic of Haiti pursuant to paragraphe 7 of the Agreement.

THE EMBASSY OF HAITI avails itself of the opportunity to renew to the Department of State the assurances of its highest consideration.

WASHINGTON, D.C., September 15, 1977.

GEORGES SALOMON
[SEAL]

THE HONORABLE DEPARTMENT OF STATE OF THE
UNITED STATES OF AMERICA
WASHINGTON, D.C.

The Acting Secretary of State to the Haitian Ambassador

NOVEMBER 23, 1977

EXCELLENCY:

I have the honor to refer to the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973 [1] (the "Arrangement") and to discussions concerning trade in textiles and textile products between representatives of the Governments of Haiti and the United States of America in Washington from October 3 to 7, 1977. On the basis of these discussions and in accordance with Article 4 of the Arrangement, I have the honor to propose that the Agreement between the United States of America and Haiti Concerning Trade in Cotton, Wool and Man-made Fiber Textiles and Textile Products, of March 23, 1976, as amended (hereinafter referred to as the "Agreement"), be further amended as follows:

1. During the agreement year commencing January 1, 1978, the Government of Haiti will, tentatively, implement the Agreement in accordance with the new category system (Annex A hereto) to be put into effect by the Government of the United States on January 1, 1978 and limit exports of textiles and textile products from Haiti to the United States to the indicative quantities set out in Annex B hereto. Indicative quantities designated as "SL" in Annex B represent specific limits and indicative quantities designated "DCL" or "MCL" in Annex B represent consultation levels. The indicative quantities set out in Annex B are subject to modification in accordance with the procedures set out herein, or as otherwise provided in the Agreement.

2. Both Governments agree that indicative quantities will tend to represent fair and appropriate allocations of export restraint levels under the category system presently in use to categories under the system to be implemented beginning January 1, 1978.

¹ TIAS 7840, 8939; 25 UST 1001; 29 UST.

3. Prior to December 1, 1977, the Government of Haiti will inform the Government of the United States of America of what it considers to be appropriate indicative quantities for the agreement year beginning January 1, 1978.

The Government of the United States of America will promptly inform the Government of Haiti whether or not it agrees to the indicative quantities proposed by the Government of Haiti. If necessary, representatives of the two Governments will meet promptly to discuss differences between the indicative quantities set under paragraph 1 above and those proposed by the Government of Haiti. The Government of the United States of America assures the Government of Haiti that when a quota for 1977 has been adjusted and is filled either totally or in part, such trade will be considered for automatic inclusion in indicative quantities for the agreement year beginning January 1, 1978 if not questioned by either Government.

4. Concurrently with its proposals under paragraph 3, the Government of Haiti may also propose increases in indicative quantities for 1978; the United States will promptly respond to such proposals. The Government of Haiti may also propose increases in indicative quantities during the course of any discussions held pursuant to paragraph 3 above; the Government of the United States of America will consider such proposals as part of the discussions.

5. Both Governments agree to conduct a major joint review of the operation of the new category system during late March or early April 1978; if warranted, appropriate adjustments to the Agreement or its implementation will be made following the joint review.

6. The Government of the United States of America will cooperate with the Government of Haiti, particularly with respect to the provision of information to technical specialists concerning operation of the new category system.

7. a) For the agreement year beginning January 1, 1977, category 50/51 shall be separated to categories 50 and 51. The Government of the United States of America agrees to the request of the Government of the Republic of Haiti to exceed certain consultation levels for the agreement year beginning January 1, 1977; accordingly, the Categories set out below shall be subject to the following new consultation levels for that agreement year:

<u>Category</u>	<u>Consultation Level</u> (Square Yards Equivalent)
50	2,000,000
51	2,000,000
53	1,500,000
54	2,000,000
55	2,000,000
215	6,000,000
223	3,000,000

b) The Government of the United States of America agrees to the request of the Government of the Republic of Haiti to modify certain specific limits for the agreement year beginning January 1, 1977; accordingly, the Categories set out below shall be subject to the following new specific limits for that agreement year:

<u>Category</u>	<u>Specific Limit</u> (Square Yards Equivalent)
222	2, 951, 000
238	7, 000, 000

If the foregoing proposal is acceptable to the Government of the Republic of Haiti, this note and Your Excellency's note of confirmation will constitute an agreement between the Government of the Republic of Haiti and the United States of America, amending the Agreement.

Accept, Excellency, the renewed expression of my highest consideration.

For the Acting Secretary of State:

WILLIAM BARRACLOUGH

His Excellency
GEORGES SALOMON,
Ambassador of Haiti.

ANNEX A

<u>Category</u>	<u>Description</u>	<u>Conversion Factor</u>	<u>Unit of Measure</u>
Yarn:			
Cotton:			
300	Carded	4. 6	Lb.
301	Combed	4. 6	Lb.
Wool: 400	Tops and yarn	2. 0	Lb.
Man-made fiber:			
600	Textured	3. 5	Lb.
601	Cont. cellulosic	5. 2	Lb.
602	Cont. noncellulosic	11. 6	Lb.
603	Spun cellulosic	3. 4	Lb.
604	Spun noncellulosic	4. 1	Lb.
605	Other yarns	3. 5	Lb.
Fabric:			
Cotton:			
310	Ginghams	1. 0	Syd.
311	Velveteens	1. 0	Syd.
312	Corduroy	1. 0	Syd.
313	Sheeting	1. 0	Syd.
314	Broadcloth	1. 0	Syd.
315	Printcloths	1. 0	Syd.
316	Shirtings	1. 0	Syd.
317	Twills and Sateens	1. 0	Syd.
318	Yarn-dyed	1. 0	Syd.

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ANNEX A—Continued

<u>Category</u>	<u>Description</u>	<u>Conversion Factor</u>	<u>Unit of Measure</u>
Fabric—Continued			
Cotton—Continued			
319	Duck	1.0	Syd.
320	Other fabrics, n.k.	1.0	Syd.
Wool:			
410	Woolens and worsted	1.0	Syd.
411	Tapestries and upholstery	1.0	Syd.
425	Knit	2.0	Lb.
429	Other Fabrics	1.0	Syd.
610	Cont. cellulosic, n.k.	1.0	Syd.
611	Spun cellulosic, n.k.	1.0	Syd.
612	Cont. noncellulosic, n.k.	1.0	Syd.
613	Spun noncellulosic, n.k.	1.0	Syd.
614	Other fabrics, n.k.	1.0	Syd.
625	Knit	7.8	Lb.
626	Pile and tufted	1.0	Syd.
627	Specialty	7.8	Lb.
Apparel:			
Cotton:			
330	Handkerchiefs	1.7	Dz.
331	Gloves	3.5	Dpr.
332	Hosiery	4.6	Dpr.
333	Suit-type coats, M and B	36.2	Dz.
334	Other coats, M and B	41.3	Dz.
335	Coats, W, G and I	41.3	Dz.
336	Dresses (inc. uniforms)	45.3	Dz.
337	Playsuits, sunsuits, washsuits, creepers	25.0	Dz.
338	Knit shirts, (inc. T-shirts, other and sweatshirts) M and B	7.2	Dz.
339	Knit shirts and blouses (inc. T-shirts other & sweatshirts) W, G and I	7.2	Dz.
340	Shirts, n.k.	24.0	Dz.
341	Blouses, n.k.	14.5	Dz.
342	Skirts	17.8	Dz.
345	Sweaters	36.8	Dz.
347	Trousers, slacks, and shorts (outer) M and B	17.8	Dz.
348	Trousers, slacks and shorts (outer) W, G and I	17.8	Dz.
349	Brassieres, etc.	4.8	Dz.
350	Dressing gowns, inc. bathrobes, and beach robes, lounging gowns, house coats, and dusters	51.0	Dz.
351	Pajamas and other nightwear	52.0	Dz.
352	Underwear (inc. union suits)	11.0	Dz.
359	Other apparel	4.6	Lb.
Wool:			
431	Gloves	2.1	Dpr.
432	Hosiery	2.8	Dpr.
433	Suit-type coats, M and B	3.0	No.
434	Other coats, M and B	4.5	No.
435	Coats, W, G and I	4.5	No.
436	Dresses	4.1	No.
438	Knit shirts and blouses	15.0	Dz.
440	Shirts and blouses, n.k.	24.0	Dz.
442	Skirts	1.5	No.
443	Suits, M and B	4.5	No.
444	Suits, W, G and I	4.5	No.
445	Sweaters, M and B	14.88	Dz.
446	Sweaters, W, G and I	14.88	Dz.

ANNEX A—Continued

<u>Category</u>	<u>Description</u>	<u>Conversion Factor</u>	<u>Unit of Measure</u>
Apparel—Continued			
Wool—Continued			
447	Trousers, slacks, and shorts (outer) M and B	1.5	No.
448	Trousers, slacks and shorts (outer) W, G and I	1.5	No.
459	Other wool apparel	2.0	Lb.
Man-made fiber:			
630	Handkerchiefs	1.7	Dz.
631	Gloves	3.5	Dpr.
632	Hosiery	4.6	Dpr.
633	Suit-type coats, M and B	36.2	Dz.
634	Other coats, M and B	41.3	Dz.
635	Coats, W, G and I	41.3	Dz.
636	Dresses	45.3	Dz.
637	Playsuits, sunsuits, washsuits, etc.	21.3	Dz.
638	Knit shirts, (inc. T-shirts), M and B	18.0	Dz.
639	Knit shirts and blouses (inc. T-shirts), W, G and I	15.0	Dz.
640	Shirts, n.k.	24.0	Dz.
641	Blouses, n.k.	14.5	Dz.
642	Skirts	17.8	Dz.
643	Suits, M and B	4.5	No.
644	Suits, W, G and I	4.5	No.
645	Sweaters, M and B	36.8	Dz.
646	Sweaters, W, G and I	36.8	Dz.
647	Trousers, slacks, and shorts (outer), M and B	17.8	Dz.
648	Trousers, slacks and shorts (outer), W, G and I	17.8	Dz.
649	Brassieres, Etc.	4.8	Dz.
650	Dressing gowns, inc. bath and beach robes	51.0	Dz.
651	Pajamas and other nightwear	52.0	Dz.
652	Underwear	16.0	Dz.
659	Other apparel	7.8	Lb.
Made-ups and misc.:			
Cotton:			
360	Pillowcases	1.1	No.
361	Sheets	6.2	No.
362	Bedspreads and quilts	6.9	No.
363	Terry and other pile towels	0.5	No.
369	Other cotton manufactures	4.6	Lb.
Wool:			
464	Blankets and auto robes	1.3	Lb.
465	Floor covering	0.1	Sft.
469	Other wool manufactures	2.0	Lb.
Man-made fiber:			
665	Floor coverings	0.1	Sft.
666	Other furnishings	7.8	Lb.
669	Other man-made manufactures	7.8	Lb.

<u>New Category</u>	<u>ANNEX B Type of Level</u>	<u>Indicative Quantity (In Square Yards Equivalent)</u>
300	MCL	
301	MCL	

ANNEX B—Continued

<u>New Category</u>	<u>Type of Level</u>	<u>Indicative Quantity (In Square Yards Equivalent)</u>
400	MCL	
600	MCL	
601	MCL	
602	MCL	
603	MCL	
604	MCL	
605	MCL	
310	MCL	
311	MCL	
312	MCL	
313	MCL	
314	MCL	
315	MCL	
316	MCL	
317	MCL	
318	MCL	
319	MCL	
320	MCL	
410	MCL	
411	MCL	
425	MCL	
429	MCL	
610	MCL	
611	MCL	
612	MCL	
613	MCL	
614	MCL	
625	MCL	
626	MCL	
627	MCL	
330	MCL	
331	SL	
332	MCL	1, 744, 900
333	MCL	
334	MCL	
335	MCL	
336	DCL	
337	DCL	1, 500, 000
338	MCL	2, 000, 000
339	MCL	
340	SL	
341	MCL	2, 289, 800
342	MCL	
345	MCL	
347	DCL	
348	DCL	2, 000, 000
349	MCL	1, 600, 000
350	DCL	
351	MCL	2, 000, 000
352	MCL	
359	SL	
431	MCL	2, 000, 000
432	MCL	
433	MCL	
434	MCL	
435	MCL	
436	MCL	
438	MCL	
440	MCL	
442	MCL	
443	MCL	

ANNEX B—Continued

<u>New Category</u>	<u>Type of Level</u>	<u>Indicative Quantity (In Square Yards Equivalent)</u>
444	MCL	
445	MCL	
446	MCL	
447	MCL	
448	MCL	
459	MCL	
630	MCL	
631	DCL	
632	DCL	2, 000, 000
633	MCL	6, 000, 000
634	MCL	
635	SL	
636	DCL	4, 500, 000
637	SL	4, 000, 000
638	MCL	4, 910, 000
639	SL	
640	DCL	5, 233, 625
641	SL	2, 000, 000
642	MCL	4, 236, 130
643	MCL	
644	SL	
645	MCL	1, 700, 000
646	MCL	
647	MCL	
648	SL	
649	SL	10, 100, 000
650	DCL	3, 702, 245
651	DCL	2, 000, 000
652	SL	2, 000, 000
659	DCL	6, 200, 000
360	MCL	2, 000, 000
361	MCL	
362	MCL	
363	MCL	
369	MCL	
464	MCL	
465	MCL	
469	DCL	
655	MCL	200, 000
666	MCL	
669	MCL	

The Haitian Ambassador to the Secretary of State

AMBASSADE D' HAITI
WASHINGTON

AW/41-694

WASHINGTON November 23, 1977

EXCELLENCY:

I have the honour to acknowledge receipt of your Excellency's note of November 23, 1977, concerning the consultation between

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representatives of the Government of the United States and representatives of the Government of Haiti from October 3 to 7, 1977, on arrangements to the bilateral Textiles Agreement of March 22 and 23, 1977.

The Government of Haiti has given its acceptance to the proposal and this note and Your Excellency's note shall constitute an agreement between the Government of the United States of America and the Republic of Haiti pursuant to paragraphe 7 of the Agreement.

I avail myself of this opportunity to renew the assurances of my highest consideration.

GEORGES SALOMON

Georges Salomon
Ambassador

[SEAL]

His Excellency
CYRUS VANCE
*Secretary of State of the
United States
Washington, D.C.*

The Secretary of State to the Haitian Ambassador

OCTOBER 13, 1978

EXCELLENCY:

I have the honor to refer to the Arrangement Regarding International Trade in Textiles, with annexes, done at Geneva on December 20, 1973, extended December 14, 1977 and to the Agreement between the United States of America and Haiti concerning Trade in Cotton, Wool and Man-made Fiber Textiles and Textile Products, effected by exchange of notes March 22 and 23, 1976, as amended (hereinafter referred to as the "Agreement"). I have further the honor to refer to discussions concerning trade in textiles and textile products between representatives of the Government of Haiti and the Government of the United States of America in Washington during recent months. On the basis of these discussions and in accordance with Article 4 of the Arrangement, I have the honor to propose that the Agreement be further amended by the following changes to Annex B of the Note of November 23, 1977, setting out indicative quantities:

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<u>Category</u>	<u>Type of Level</u>	<u>Indicative Quantity</u> <u>(In Square Yards</u> <u>Equivalent)</u>
348	SL	2, 000, 000
359	SL	2, 500, 000
632	DCL	7, 000, 000
636	DCL	4, 500, 000
637	SL	6, 000, 000
650	DCL	3, 000, 000
651	DCL	3, 200, 000
652	DCL	7, 300, 000

If the foregoing proposal is acceptable to the Government of the Republic of Haiti, this note and Your Excellency's note of confirmation will constitute an agreement between the Government of the Republic of Haiti and the United States of America, amending the Agreement, effective on the date of your note of confirmation.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

WILLIAM BARRACLOUGH

His Excellency
GEORGES SALOMON,
Ambassador of Haiti.

The Haitian Ambassador to the Secretary of State

AMBASSADE D' HAITI
WASHINGTON

WASHINGTON, *October 13, 1978*

EXCELLENCY:

I have the honor to acknowledge receipt of the note of October 13, 1978 which refer to the agreement concerning Trade in Cotton, Wool and Man-made Fiber Textiles and Textile Products, of March 22, and 23, 1976 and to further discussions in Washington in recent months between representatives of the United States and Haiti, and proposing the following changes to Annex B of the Note of November 23, 1977 setting out indicative quantities:

<u>Category</u>	<u>Type of Level</u>	<u>Indicative Quantity</u> <u>(In Square Yards</u> <u>Equivalent)</u>
348	SL	2, 000, 000
359	SL	2, 500, 000
632	DCL	7, 000, 000
636	DCL	4, 500, 000
637	SL	6, 000, 000
650	DCL	3, 000, 000
651	DCL	3, 200, 000
652	DCL	7, 300, 000

TIAS 9084

I have the honor to inform your Excellency that the Government of Haiti accepts the proposed changes and with this acception, this note constitutes an agreement between the Government of the United States and the Government of Haiti.

I avail myself of this opportunity to renew to your Excellency, Mr. Secretary of State, the assurances of my highest consideration.

GEORGES SALOMON

Georges Salomon
Ambassador

His Excellency

CYRUS VANCE

Secretary of State

Department of State

of the United States

Washington, D.C.